

**Minutes of the  
City Commission for the City of Traverse City**



**Regular Meeting**

**May 2, 2016**

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were in attendance: Mayor Jim Carruthers, Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Jim Carruthers presided at the meeting.

There being no objection, Mayor Carruthers removed Agenda Item 2(g) and 4(b) from the Agenda as requested by the City Clerk.

Presentation of the Mayor's Proclamation Declaring May 15-21, 2016, as Police Memorial Week to Chief of Police Jeffrey O'Brien.

As requested by Commissioner Haas, Agenda Item 2(i) was removed from the Consent Calendar for individual consideration by the Commission.

As requested by Commissioner Werner, Agenda Item 2(e) was removed from the Consent Calendar for individual consideration by the Commission.

**2. Consent Calendar**

Moved by Richardson, seconded by Lewis, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. The minutes of the April 13, 2016 Special Meeting, April 18, 2016 Regular Meeting, and April 25, 2016 Study Session, be approved.
- b. The City Manager be authorized to issue a purchase order to Leaders RPM of Kalamazoo, Michigan, in the amount not to exceed \$15,397.40 for the purchase of a new 2016 Polaris Ranger 570 EPS with cab options, with funds available in the Traverse City Parking System Fund.
- c. The Mayor and City Clerk execute a three-year lease with Northpointe J&S LLC for the lease of City-owned property for outdoor dining purposes with the terms as generally outlined in the City Clerk's April 26, 2016, communication such lease subject to approval as to its substance by the City Manager and its form by the City Attorney.
- d. The City Commission approves the increase in Downtown Development Authority Executive Director Rob Bacigalupi's annual salary from \$72,340 to \$74,602, and an increase in Mr. Bacigalupi's annual salary by 3 percent per year for the subsequent two years, as approved by the Downtown Development Authority Board of Trustees.
- e. Removed from the Consent Calendar.
- g. Removed from the Agenda.
- h. the City Commission authorizes the City Clerk and other officials to execute the necessary Fireworks Display Permit to Great Lakes Fireworks, LLC, for a display on July 4, 2016, and July 9, 2016, subject to Great Lakes Fireworks executing a hold harmless agreement indemnifying the City and submitting to the City Clerk a certificate of fireworks liability insurance in the amount of \$5 million per occurrence, naming the city as additional insured, or other insurance as required by the City Clerk.
- i. Removed from the Consent Calendar.

CARRIED unanimously.

**Items removed from the Consent Calendar**

- a.

Consideration of approving a location change for the Bryan Crough Memorial from the Radio Centre Phase III development to Lay Park, due to a change in development plans at Radio Centre Phase III which make the placement of a memorial logistically problematic, as recommended by the Public Arts Commission.

Moved by Haas, seconded by Howe, to table the project until such time that the Parks and Recreation Commission has time to review and make comment.

The following addressed the Commission:

Benjamin Marentette, City Clerk  
Mary Bevans Gillett, 1800 Wayne Street, Chairwoman of the Arts Commission

Commissioner Haas, with agreement by Commissioner Howe, withdrew the motion.

Moved by Lewis, seconded by Shamroe, that the conceptual project described in the memo from the Traverse City Arts Commission dated April 27, 2016, for a Bryan Crough Memorial located in Lay Park at 311 South Union Street with input by the Parks and Recreation Commission, without a limit in dollar amount, provided all funds for the project come from outside sources, be approved and that the Mayor and City Clerk be authorized to execute any necessary agreements in connection with this approval as provided by future action of the Traverse City Arts Commission, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney and that the City Commission actions of February 16, 2016, and March 31, 2016, be rescinded.

Rick Buckhalter, 932 Kelley Street  
Marsha Smith, 529 Washington Street

CARRIED unanimously.

b.

Consideration of approving an increase in fees for special events held in parking lots, and consideration of approving the inclusion of the revised fees in the

city's Directory of Charges, which is a compilation of all fees for service.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Rick Buckhalter, 932 Kelley Street

Rob Bacigalupi, Downtown Development Authority Executive Director

Moved by Richardson, seconded by Shamroe that the fees for High Impact Events for Parks and Public Land Use Permits held in public parking lots issued by the City Clerk be increased to \$2.37 per space per day for metered lots and \$2.40 per space per day for non-metered lots, with the fee increase to be effective immediately, with the exception of permits currently in process.

Roll Call:

Yes – Haas, Howe, Lewis, Shamroe, Richardson, Carruthers.

No – Werner.

CARRIED.

### **3. Old Business**

#### **3(a).**

Consideration of enacting an amendment to the Traverse City Code of Ordinances which would allow additional uses and modify the development requirements in the Transportation Districts, to allow other uses which are compatible or complimentary to the operation of the Cherry Capital Airport, as recommended by the Planning Commission

Moved by Lewis, seconded by Shamroe, that an amendment to the Traverse City Code of Ordinances, Chapter 1348, Transportation District Amendment, which would allow other uses that are compatible or complementary to the airport operation within the district and could address the nuances with parking lot location for uses on airport grounds, which was recommended by the City Planning Commission, which was introduced on April 18, 2016, be enacted with an effective

date of May 12, 2016.

The following addressed the Commission:

Rick Buckhalter, 932 Kelley Street  
Lauren Tribble-Laucht, City Attorney

CARRIED unanimously.

#### **4. New Business**

##### **4(a).**

Presentation of the Police Chief Jeff O' Brien's new command staff and update regarding the direction of the Police Department.

The following addressed the Commission:

Jeffrey O'Brien, Police Chief  
Kevin Dunklow, Police Patrol Division Captain  
Jim Bussell, Police Detective Captain  
Benjamin Marentette, City Clerk

##### **4(b).**

Removed from the Agenda.

##### **4(c).**

Initial delivery of the City Manager's proposed budget for Fiscal Year 2016-2017 and scheduling a public hearing on all funds and budgets for Tuesday, May 17, 2016, at 7 p.m.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Werner, seconded by Haas, that the City Manager's Proposed Budget for Fiscal Year 2016/2017, including the six-year capital improvements

plan, the proposed tax rate and the Traverse City Light and Power and Downtown Development Authority budgets be scheduled for public hearing on Tuesday, May 17, 2016.

Rick Buckhalter, 932 Kelley Street

CARRIED unanimously.

**4(d).**

Consideration of adopting a resolution supporting House Bill 5578, which addresses some of the negative effects to municipalities in connection with the current 'dark store' tax appeals issue.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Shamroe, seconded by Richardson, that the Resolution of Support for House Bill 5578, which addresses some of the negative effects to municipalities in connection with the current 'dark store' tax appeals issue, be adopted.

Christine Maxbauer, Grand Traverse County Commissioner, 503 West Eighth Street

CARRIED unanimously

**4(e).**

Consideration of adopting to make permanent the following traffic control orders:

- #594, which prescribes a 5-ton load limit on Indian Trail Boulevard between Airport Access Road and the easterly City limits
- #595, which provides for handicap parking on the north side of West Front Street immediately west of Hall Street and on the south side of West Front Street in a portion of the 500 block
- #597, which provides for right turns only for westbound traffic on Eighth Street at Boardman Avenue
- #598, which provides for immediate pickup and drop off only on the south

side of Seventh Street between Pine Street and Wadsworth Street

The following addressed the Commission:

Benjamin Marentette, City Clerk  
Lauren Tribble-Laucht, City Attorney  
Jim Tuller, Fire Chief  
Tim Lodge, City Engineer

Moved by Lewis, seconded by Richardson that Temporary Traffic Control Orders: #594- which prescribes a 5-ton load limit on Indian Trail Boulevard between Airport Access Road and the easterly City limits; #595- which provides for handicap parking on the north side of West Front Street immediately west of Hall Street and on the south side of West Front Street in a portion of the 500 block; #597- which provides for right turns only for westbound traffic on Eighth Street at Boardman Avenue; #598- which provides for immediate pickup and drop off only on the south side of Seventh Street between Pine Street and Wadsworth Street; be adopted to be made permanent.

CARRIED unanimously.

**4(f).**

Continued discussion regarding the City Commission's goal and objective for increased walkability.

The following addressed the Commission:

Benjamin Marentette, City Clerk  
Russ Soyering, City Planning Director  
Rick Buckhalter, 932 Kelley Street

**5. Appointments**

**5(a).**

Consideration of appointing a member of the City Commission to serve as alternate member on the Traverse Transportation Coordinating Initiative (formerly known as TC-TALUS).

Moved by Richardson, seconded by Werner that Commissioner Lewis be appointed as alternate member on the Traverse Transportation Coordinating Initiative (seat previously held by Commissioner Howe), term expiring November 13, 2017.

CARRIED unanimously.

**5(b).**

Consideration of establishing an ad hoc interview committee regarding two appointments to the Historic Districts Commission.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Werner that an ad hoc interview committee be established to make recommendation regarding two three-year terms expiring June 30, 2019 on the Historic Districts Commission, seats previously held by Suzannah Tobin and Ken Zacks; and that Mayor Pro Tem Richardson and Commissioners Haas, and Shamroe be appointed to such Committee, with Mayor Pro Tem Richardson to serve as Chair.

CARRIED unanimously.

**5(c).**

Consideration of approving the Mayor's appointments to the Human Rights Commission.

Moved by Richardson, seconded by Howe, that the Mayor's reappointment of Jodi Stinnet and Taylor Nash each to one three-year term expiring June 30, 2019, seats previously held by Jodi Stinnet and Taylor Nash and the appointment of Marilyn Jaquish to one three-year term effective June 30, 2016, and expiring June 30, 2019, seat previously held by Steve Mentzer, on the Human Rights Commission, be approved.

CARRIED unanimously.



**6. Reports and Communications**

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
  - b. Report from the City Attorney.
  - c. Announcements from the Deputy City Clerk.
  - d. Reports, announcements and correspondence from the Mayor and City Commissioners.
  - e. Reports and correspondence from other City officials, boards and committees.
    - 1. Reports from members of the Commission serving on boards
    - 2. Minutes of the Downtown Development Authority Board of Trustees meeting of April 15, 2016.
    - 3. Report on Accessory Dwelling Units from the Planning Director dated April 19, 2016.
    - 4. Quarterly Report from Traverse City Parking Services for the third fiscal quarter which ended March 31, 2016.
    - 5. Minutes of the Act 345 Retirement System meeting of January 27, 2016.
    - 6. Memo from the City Treasurer/Finance Director regarding delinquent water and sewer charges that will be added to the summer 2016 tax bills for the properties which are delinquent.
- e. Reports and correspondence from non-City officials.
    - 1. Monthly Operations Report from CH2M for the Wastewater Treatment Plant for March 2016.

**7. Public Comment**

The following addressed the Commission:

1. Reserved.

None.

2. General.

Chris Maxbauer, 503 West Eighth Street

Rick Buckhalter, 932 Kelley Street

John Porter, 1423 Duck Lake Road, Green Lake Township

Bill Wiesner, 7998 East Fouch Road, Elmwood Township

3. Mayor and City Commissioners.

Commissioner Richard Lewis

Benjamin Marentette, City Clerk

Commissioner Gary Howe

Commissioner Brian Haas

Commissioner Amy Shamroe

Commissioner Tim Werner

Mayor Jim Carruthers

**8. Adjournment**

There being no objection, Mayor Jim Carruthers declared the meeting adjourned at 9:29 pm.

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Katelyn Zeits, CMC  
Deputy City Clerk

Approved: \_\_\_\_\_, \_\_\_\_\_  
(Date) (Initials)